

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed September 27, 2004. Applicant appreciates the Examiner's consideration of the Application. Claims 5, 16, and 27 have been canceled, and Claims 36-41 have been added. Claims 1, 12, 23, and 34 have been amended to clarify, more particularly point out, and more distinctly claim inventive concepts previously present in these claims. Certain amendments do not narrow the scope of the claims and are not required for patentability. Applicant respectfully submits that no new matter has been added by the amendments to the claims. In order to advance prosecution of this Application, Applicant has responded to each notation by the Examiner. Applicant respectfully requests reconsideration and favorable action in this case.

Information Disclosure Statement

The Examiner has not considered the Information Disclosure Statement (IDS) and accompanying PTO-1449 form submitted on July 25, 2003.

Applicant submits an IDS and accompanying PTO-1449 form with this Response. Applicant respectfully submits that references M through O have been completely and accurately cited. The first page of reference M shows a date of August 1995, the first page of reference N shows a date of August 1996, and the first page of reference O shows a date of August 1997. The dates shown on the first pages, however, are not the dates of publication. The PTO-1449 form submitted with this Response indicates the correct dates when the references were published, for example, when the references were made publicly available.

Applicant has removed the term "ABSTRACT" from the citation.

Applicant respectfully points out that the "TAMUS" reference numbers refer to internal docket numbers. For example, TAMUS 1059 is an internal docket number related to the present application. TAMUS 1058, TAMUS 1084, and TAMUS 1097 are internal docket numbers related to U.S. Pat. No. 5,479,571, which has been cited in the PTO-1449 form submitted with this Response.

Hard copies of the references cited on the PTO-1449 form submitted on July 25, 2003 were submitted on July 25, 2003. On January 25, 2005, the Examiner stated that he did not require resubmission of the hard copies. Applicant thanks the Examiner for not requiring resubmission of the hard copies. Applicant, however, stands ready to provide hard copies of these references in response to a request by the Examiner.

Specification

Applicant believes that the claims are supported by the specification in accordance with 35 USC § 112 without the material incorporated by reference at pages 15-16 of the specification. The Examiner may, however, determine that the material incorporated by reference at pages 15-16 of the specification is essential under MPEP § 608.01(p).

Objected to Claims

The Examiner indicated that Claims 5, 6, 10, 11, 16, 17, 21, 22, 27, 28, 32, and 33 include allowable subject matter. (Office Action, page 9, paragraph 3.) Claims 1, 12, 23, and 24 have been amended to include allowable subject matter, and Claims 5, 16, and 27 have been canceled. For the reasons discussed below, Applicant respectfully requests allowance of Claims 6, 10, 11, 17, 21, 22, 28, 32, and 33.

Section 101 Rejection

Applicant has made clarifying amendments to Claim 23 according to the suggestions made by the Examiner. Applicant respectfully submits that independent Claim 23, particularly as amended, is directed to statutory subject matter. Dependent Claims 24-33 are allowable based on their dependence on independent Claim 23. Accordingly, Claims 23-33 are allowable under 35 U.S.C. § 101.

Section 102 Rejection

The Examiner rejects Claims 1-4, 7-9, 12-15, 18-20, 23-26, 29-31, and 34 under 35 U.S.C. § 102(b) as being unpatentable over “Fault Diagnosis in Nonlinear Dynamic Systems via Neural Networks,” by R. J. Patton et al. (“*Patton*”). Applicant respectfully traverses this rejection for the reasons discussed below.

Claim 1 has been amended to include the allowable subject matter of Claim 5. Accordingly, Applicant respectfully requests reconsideration and allowance of independent Claim 1.

The claims that depend on Claim 1 are allowable based on their dependence on Claim 1, and further because they recite numerous additional patentable distinctions over the reference of the rejection. Because Applicant believes he has amply demonstrated the

allowability of the independent claims over the references of the rejection, and to avoid burdening the record, Applicant has not provided detailed remarks concerning these dependent claims. Applicant, however, remains ready to provide such remarks if it becomes appropriate to do so. Accordingly, Applicant respectfully requests reconsideration and allowance of claims that depend on independent Claim 1.

Independent Claims 12, 23, and 34 recite certain limitations substantially similar to those recited in independent Claim 1. Accordingly, for at least the same reasons, Applicant also respectfully requests reconsideration and allowance of independent Claims 12, 23, 34, together with their dependent claims.

Allowed Claim

Applicant appreciates the Examiner's allowance of Claim 35.

New Claims

New Claims 36-41 have been added and are fully supported by the original specification. *See, e.g.*, Application, page 6, lines 19-21. No new matter has been added.

As discussed above, independent Claims 1, 12, and 23 are allowable. Claims 36 and 37, 38 and 39, and 40 and 41 that depend on independent Claims 1, 12, and 23, respectively, are allowable based on their dependence on the independent claims and further because they recite numerous additional patentable distinctions over the reference of the rejection. Accordingly, Applicant also respectfully requests allowance of Claims 36-41.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicant respectfully requests full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicant, at the Examiner's convenience at (214) 953-6494.

Applicant has included a check for \$75.00 for the additional claims and a check for \$60.00 for the one-month extension of time. If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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